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**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

CARLOS VICTORINO, *et al.*

Plaintiffs,

v.

FCA US LLC,

Defendant.

Case No. 3:16-cv-01617-GPC-JLB

**NOTICE OF MOTION AND MOTION  
FOR SANCTIONS FOR SPOILIATION  
OF EVIDENCE**

Complaint Filed: June 24, 2016

Trial Date: None Set  
Hearing Date: October 13, 2017  
Time: 1:30 p.m.  
Courtroom: 2D  
Judge: Hon. Gonzalo P. Curiel

**TO THE PARTIES AND THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that, on October 13, 2017 at 1:30 p.m. or as soon thereafter as this matter may be heard, in Courtroom 2D of the United States District Court for the Southern District of California, located at 221 West Broadway, San Diego, CA 92101, Defendant FCA US LLC will, and hereby does, move for an order granting FCA US's motion for sanctions for spoliation of evidence.

This Motion is based on this Notice of Motion and Motion, the Memorandum of Points and Authorities in support thereof, the Declaration of Scott H. Morgan and attached exhibits, all pleadings and papers filed in this action, and such other and further matters as the Court may consider.

Dated: August 22, 2017

**HIGGS FLETCHER & MACK LLP**

By: /s/ Edwin Boniske  
William M. Low (Bar No. 106669)  
Edwin Boniske (Bar No. 265701)

**THOMPSON COBURN LLP**

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was served on August 22, 2017 on all counsel of record, who are deemed to have consented to electronic service via the Court's CM/ECF system per Civ.L.R. 5.4(d).

By: /s/ Edwin Boniske

Edwin Boniske (Bar No. 265701)